



**ENVIRONMENTAL PROTECTION AGENCY**

**[EPA-R04-OAR-2013-0129; FRL– 9900-02-Region4]**

**Adequacy Status of the North Carolina Portion of the Charlotte-Gastonia-Rock Hill  
Bi-State Area Maintenance Plan 8-Hour Ozone Sub-Area Motor Vehicle Emission  
Budgets for Transportation Conformity Purposes**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice of adequacy.

**SUMMARY:** EPA is notifying the public that the Agency has determined that the sub-area motor vehicle emissions budgets (MVEBs) for the North Carolina portion of the Charlotte-Gastonia-Rock Hill bi-state area (hereafter referred to as the bi-state Charlotte Area) are adequate for transportation conformity purposes. These MVEBs were submitted by the North Carolina Department of Environment and Natural Resources (NC DENR) as part of the state's 1997 8-Hour Ozone Maintenance plan on November 2, 2011, and later supplemented on February 8, 2013. The bi-state Charlotte moderate 1997 8-hour ozone area is comprised of Charlotte-Gastonia in North Carolina, and Rock Hill (a portion of York County), South Carolina. The North Carolina portion of the bi-state Charlotte Area is comprised of the following sub-areas or counties: Cabarrus, Gaston, partial of Iredell (Davidson and Coddle Creek Townships), Lincoln, Mecklenburg, Rowan, and Union. North Carolina's maintenance plan includes the required MVEBs for volatile organic compounds (VOC) and nitrogen oxides (NO<sub>x</sub>). This action relates only to the North Carolina portion of the bi-state Charlotte Area. EPA approved MVEBs for South Carolina's portion of York County in a separate action. As a result of EPA's

finding, which is being announced in this notice, the North Carolina portion of the bi-state Charlotte Area must use the sub-area MVEBs for future conformity determinations for the 1997 8-hour ozone standard.

**DATES:** These sub-area MVEBs are effective [Insert date 15 days after publication].

**FOR FURTHER INFORMATION CONTACT:** Dianna Smith, U.S. Environmental Protection Agency, Region 4, Air Planning Branch, 61 Forsyth Street, SW., Atlanta, Georgia 30303. Ms. Smith can also be reached by telephone at (404) 562-9207, or via electronic mail at [smith.dianna@epa.gov](mailto:smith.dianna@epa.gov). The finding is available at EPA's conformity Web site: <http://www.epa.gov/otaq/stateresources/transconf/currships.htm>.

**SUPPLEMENTARY INFORMATION:** This notice is simply an announcement of a finding that EPA has already made. EPA Region 4 sent a letter to NC DENR on July 25, 2013, stating that the sub-area MVEBs identified for the North Carolina portion of the bi-state Charlotte area in the 1997 8-hour ozone maintenance plan, submitted on November 2, 2011, and later supplemented on February 8, 2013, are adequate and must be used for transportation conformity determinations in the North Carolina portion of the bi-state Charlotte Area.

EPA posted the availability of the sub-area MVEBs contained in the North Carolina maintenance plan on EPA's website on February 21, 2013, as part of the adequacy process, for the purpose of soliciting comments. During EPA's adequacy comment period from February 21, 2013, through March 25, 2013, no comments, adverse

or otherwise, were received on the MVEBs for the North Carolina portion of the bi-state Charlotte Area. Through this notice, EPA is informing the public that these sub-area MVEBs are adequate for transportation conformity. This finding has also been announced on EPA's conformity website:

<http://www.epa.gov/otaq/stateresources/transconf/pastsips.htm>. The adequate sub-area MVEBs are provided in the following table:

**CHARLOTTE (North Carolina Portion) 8-HOUR OZONE SUB-AREA MVEB**  
[kilograms/day]

<b>Cabarrus-Rowan MPO</b>		
	<b>2013</b>	<b>2025</b>
VOC	10,849	6,510
NOx	21,822	11,953
<b>Gaston Urban Area MPO/Lake Norman RPO</b>		
	<b>2013</b>	<b>2025</b>
VOC	11,610	7,047
NOx	22,168	12,541
<b>Mecklenburg-Union MPO/Rocky River RPO</b>		
	<b>2013</b>	<b>2025</b>
VOC	28,252	17,378
NOx	61,501	35,728

Transportation conformity is required by section 176(c) of the Clean Air Act. EPA's conformity rule, 40 CFR Part 93, requires that transportation plans, programs and projects conform to state air quality implementation plans and establishes the criteria and procedures for determining whether or not they do so. Conformity to a state implementation plan (SIP) means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the national ambient air quality standards.

The criteria by which EPA determines whether a SIP's MVEBs are adequate for transportation conformity purposes are outlined in 40 CFR 93.118(e)(4). EPA has also described the process for determining the adequacy of submitted SIP budgets in a July 1, 2004, final rulemaking entitled, "Transportation Conformity Rule Amendments for the New 8-hour Ozone and PM<sub>2.5</sub> National Ambient Air Quality Standards and Miscellaneous Revisions for Existing Areas; Transportation Conformity Rule Amendments: Response to Court Decision and Additional Rule Changes" (69 FR 40004). Please note that an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate approval of the maintenance plan for the North Carolina portion of the bi-state Charlotte Area. Even if EPA finds a budget adequate, the maintenance plan submittal could later be disapproved.

Within 24 months from the effective date of this notice, the transportation partners will need to demonstrate conformity to the new MVEBs, if the demonstration has not already been made, pursuant to 40 CFR 93.104(e). *See* 73 FR 4419 (January 24, 2008).

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 5, 2013.

Beverly H. Banister,  
Acting Regional Administrator,  
Region 4.

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